

REMARKS/ARGUMENTS

Status of the Claims

Claims 1, 3-5, 9-12, and 29-35 are currently amended.

Claims 2, 6- 8, 13-18, and 20 have been canceled.

Claims 36-38 are new.

Thus, claims 1, 3-5, 9-12, 19, and 21-38 are currently pending in this application.

The Applicants hereby request further examination and reconsideration of the presently claimed application.

Claim Rejections – 35 U.S.C. § 112

Claim 8 stands rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the enablement requirement. Claim 8 is currently canceled thus rendering the rejection moot.

Claims 1-5, 7-12, and 19-29 stand rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Office Action asserts the term “clear” renders the claim indefinite. Applicants have removed the term “clear,” thus rendering the rejection moot.

Claim Rejections – 35 U.S.C. § 103

Claims 1, 2, 4, 5, 9-12, 19, 21, 27, 29, 30, and 32 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Hwang, et al., “Nanoparticle routes to mesoporous titania thin films,” Chem. Commun., 2001, pp. 1738-1739 (*Hwang*). Claims 22 and 23 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hwang* as applied to claim 1, and further in view of Wong, et al., “Supramolecular Templating of Thermally Stable Crystalline Mesoporous Metal Oxides Using Nanoparticulate Precursors,” Nano Letters, vol. 1, no. 11, pp. 637-642, 2001 (*Wong*). Claims 3, 31, and 33-35 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hwang*, as

applied to claims 1 and 30 and further in view of U.S. Patent 5,958,367 (*Ying*). Claim 24 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hwang*, as applied to claim 1, and further in view of *Wong*, and Brinker, et al., “Evaporation-Induced Self-Assembly: Nanostructures Made Easy,” *Advanced Materials*, vol. 11, no. 7, pp. 579-585, 1999 (*Brinker*). Claim 28 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over *Hwang* as applied to claim 1, and further in view of U.S. Patent 3,907,921 (*Winter*).

Allowable Subject Matter

Applicants thank the Examiner for allowing claims 7, 20, 25, and 26 if rewritten to overcome the rejection(s) under 35 U.S.C. § 112, second paragraph, set forth in the office action and to include all of the limitations of the base claim and any intervening claims. Applicants have amended claim 1 to include the limitations of now canceled claims 7 and 20. Further, Applicants have expanded the list of metals with support for this amendment being found at least in part in paragraph [0015] of the published instant application. Similar amendments were made to claims 30 and 33. Applicants respectfully submit claims 1, 30, 33 and all claims depending therefrom are in condition for allowance.

New Claims

New claims 36-38 recite novel and nonobvious aspects of the Applicants’ claimed subject matter. Claim 36 mirrors claim 1 and additionally recites the presence of two catalytic components, the metal nanoparticle and the metal salt. Support for claim 36 can be found at least in part in paragraphs [0009], [0015], [0016] and the Examples section of the published instant application. Claim 37 mirrors now canceled claim 8 while support for claim 38 can be found at least in part in claim 19, now canceled claim 20 and the Examples section of the published instant application. Applicants respectfully submit none of the cited references contain the use of a

composition having two catalysts and as such claim 36 and all claims depending therefrom are allowable over the cited references.

CONCLUSION

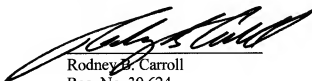
Consideration of the foregoing and reconsideration of the application and withdrawal of the rejections are respectfully requested by the Applicants. No new matter is introduced by way of the amendment. It is believed that each ground of rejection raised in the Office Action dated July 22, 2009 has been fully addressed. If any fee is due as a result of the filing of this paper, please appropriately charge such fee to Deposit Account Number 50-1515 of Conley Rose, P.C., Texas. If a petition for extension of time is necessary in order for this paper to be deemed timely filed, please consider this a petition therefore.

If a telephone conference would facilitate the resolution of any issue or expedite the prosecution of the application, the Examiner is invited to contact the undersigned at the telephone number given below.

Respectfully submitted,
CONLEY ROSE, P.C.

Date: _____

10-22-09



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